

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VICTORIA LYUBARSKY, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

CALIBER HOME LOANS, INC.,

Defendant.

Case No.16-cv-06655-JD

**ORDER RE ARBITRATION CLAUSE
CONSTRUCTION AWARD**

Re: Dkt. No. 30

The Court previously referred this employment dispute to arbitration, including the delegated question of whether the arbitration could include claims on behalf of a putative class. Dkt. No. 25. The arbitrator issued a "Clause Construction Award" in which she concluded that the arbitration agreement does not allow for arbitration to proceed on a class-wide basis. Dkt. No. 30-2, Ex. D at 8. The arbitrator temporarily stayed the proceedings to allow "any party to move for a court of competent jurisdiction to confirm or vacate this clause construction award." *Id.* Defendant Caliber Home Loans, Inc. now asks the Court to confirm the award. Dkt. No. 30. Plaintiff Lyubarsky did not oppose the request, or file any response to it at all.

The Court finds the motion suitable for decision without oral argument. Civ. L.R. 7-1(b). Because plaintiff has not objected or otherwise responded, the clause construction award is confirmed.

IT IS SO ORDERED.

Dated: December 14, 2018



JAMES DONATO
United States District Judge